

FORM PTO-1390
(REV. 9-2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

60084-A-PCT-US/JPW/FHB

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

Not Yet Known
10/009433

INTERNATIONAL APPLICATION NO.

PCT/US01/18339

INTERNATIONAL FILING DATE

6 June 2001

PRIORITY DATE CLAIMED

6 June 2000

TITLE OF INVENTION

Two Hybrid Assay That Detects HIV-1 Reverse Transcriptase Dimerization

APPLICANT(S) FOR DO/EO/US

The Trustees of Columbia University in the City of New York

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☒ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (unsigned)
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Courtesy copy of PCT Request, Small Entity Declaration from U.S. parent application, and Communication In Response to June 28, 2001 Communication To Correct Defects In the International Application and Communication In Cases For Which No Other Form is Applicable, 1 loose duplicate set of formal drawings, and an Express Mail Certificate of Mailing bearing Label No. EK 873 630 945 US dated November 2, 2001

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) Not Yet Known 9433		INTERNATIONAL APPLICATION NO. PCT/US01/18339		ATTORNEY'S DOCKET NUMBER 60084-A-PCT-US/JPW		
21 <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY		
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 0.00		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$		
Total claims	19 - 20 =	0	x \$18.00	\$ 0.00		
Independent claims	8 - 3 =	5	x \$84.00	\$420.00		
			+ \$280.00	\$ 0.00		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)						
TOTAL OF ABOVE CALCULATIONS =				\$1160.00		
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$580.00		
SUBTOTAL =				\$580.00		
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0.00		
TOTAL NATIONAL FEE =				\$580.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 0.00		
TOTAL FEES ENCLOSED =				\$580.00		
				Amount to be refunded:	\$	
				charged:	\$	
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>580.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>03-3125</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.						
SEND ALL CORRESPONDENCE TO: John P. White, Esq. Reg. No. 28,678 Cooper & Dunham LLP 1185 Avenue of the Americas New York, NY 10036						
				SIGNATURE		
				John P. White		
				NAME		
				28,678		
				REGISTRATION NUMBER		

Dkt. 60084-A-PCT-US/JPW/FHB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

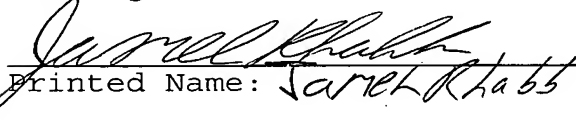
Applicants : Stephen P. Goff and Gilda Tachedjian
International
Application No. : PCT/US01/18339
Filed : 6 June 2001
For : TWO-HYBRID ASSAY THAT DETECTS HIV-1
REVERSE TRANSCRIPTASE DIMERIZATION

1185 Avenue Of The Americas
New York, New York 10036
November 8, 2001

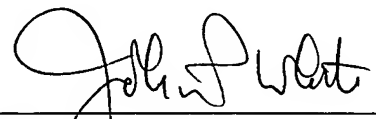
Assistant Commissioner for Patents
Washington, D.C. 20231
Attn: DO/EO/US

EXPRESS MAIL CERTIFICATE OF MAILING
FOR ABOVE-IDENTIFIED APPLICATION

Express Mail mailing label number: EK 873 630 945 US
Date of Deposit: November 8, 2001
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents and Trademarks, Washington, D.C. 20231.


Printed Name: Sarah R. Habb

Respectfully submitted,


John P. White
Reg. No. 28,678
Attorney for Applicants
Cooper & Dunham LLP
1185 Ave of the Americas
New York, New York 10036
(212) 278-0400

COLUMBIA UNIVERSITY
IN THE CITY OF NEW YORK
OFFICE OF THE SECRETARY

CERTIFICATE OF THE SECRETARY

At a meeting of The Trustees of Columbia University in the City of New York, held at the Faculty Room of Low Memorial Library on the seventh day of October, two thousand, the following action was taken:

RESOLVED, That in accordance with Section 50, subsection c, of Chapter 5 of the Statutes of the University, Michael J. Clearc, Executive Director of Columbia Innovation Enterprise, be authorized to execute on behalf of the University such contracts, agreements or other documents as pertain to his assigned duties, effective October 9, 2000.

This resolution remain in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of February 2001.

THE TRUSTEES OF COLUMBIA UNIVERSITY
IN THE CITY OF NEW YORK



R. Keith Walton
Secretary of the University



A TRUE COPY

Dkt. 60084-A-PCT/JPW/AX

IN THE UNITED STATES RECEIVING OFFICE (RO/US)

Applicants : The Trustees of Columbia University
in the City of New York, et al.
PCT International
Application No. : PCT/US01/18339
International
Filing Date : 6 June 2001
For : TWO-HYBRID ASSAY THAT DETECTS HIV-1
REVERSE TRANSCRIPTASE DIMERIZATION

1185 Ave. of the Americas
New York, New York 10036
July 18, 2001

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

ATTN: RO/US

Sir:

COMMUNICATION IN RESPONSE TO JUNE 28, 2001 INVITATION TO
CORRECT DEFECTS IN THE INTERNATIONAL APPLICATION AND
COMMUNICATION IN CASES FOR WHICH NO OTHER FORM IS APPLICABLE

This Communication is submitted in response to an Invitation To Correct Defects and the Communication In Cases For Which No Other Form Is Applicable In The International Application which were both issued by the United States Receiving Office on June 28, 2001 in connection with the above-identified PCT International Application. The Invitation and the Communication each provide one (1) month for filing a response. Therefore, a response to the June 28, 2001 Invitation and the June 28, 2001 Communication (copy attached as **Exhibit A**) is due on July 28, 2001. Accordingly, this Communication is being timely filed.

The Trustees of Columbia University in the City of New York,
et al.

Int'l. Application. No.: PCT/US01/18339

Int'l Filing Date: 6 June 2001

Page 2

In the June 28, 2001 Invitation, the subject PCT International Application was objected to in Annex A as containing informalities. Specifically, the PCT Request form was not signed by all applicants and the Request was signed by someone who does not appear to have signature authority on behalf of the applicant. In response, applicants attach hereto as **Exhibit B** a PCT Request Form signed by Michael J. Cleare, Stephen P. Goff and Gilda Tachedjian. Applicants also submit as **Exhibit C** a copy of a Resolution from The Trustees of Columbia University in the City of New York giving Michael J. Cleare the authorization to sign on behalf of The Trustees of Columbia University in the City of New York.

The June 28, 2001 Communication requests that applicants provide the required information for the prior application (i.e., country of filing, application number and filing date) of which the subject International Application has been designated a "continuation-in-part" in the United States of America in Box No. V of the Request in the above-identified PCT International Application. In response, applicants submit as **Exhibit D** a copy of page 1 of the specification which contains the required information for the prior application. Specifically, page 1 of the specification states that the subject International Application is a continuation-in-part and claims priority of U.S. Serial No. 09/588,939, filed June 6, 2000.

The Trustees of Columbia University in the City of New York,
et al.

Int'l. Application. No.: PCT/US01/18339

Int'l Filing Date: 6 June 2001

Page 3

No fee is deemed necessary in connection with the filing of this
Communication. However, if any fee is required, authorization
is hereby given to charge the amount of such fee to Deposit
Account No. 03-3125.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "John P. White", is written over a horizontal line.

John P. White
Registration No. 28,678
Attorney for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400